

PROB 12B
(Rev. 09/03)

UNITED STATES DISTRICT COURT
for
DISTRICT OF OREGON

PETITION AND ORDER
FOR MODIFICATION OF
CONDITIONS OF
PROBATION

U.S.A. vs. KALISKA ROSE RUBIO

FILED 11 MAR 15 13:59 USDC-ORP

Docket No. CR 07-524-01-KI

Petition on Probation and Supervised Release

COMES NOW LUCINDA PALMER, PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Kaliska Rose Rubio, who was placed on supervision by The Honorable Garr M. King sitting in the Court at Portland, Oregon, on the 11th day of July, 2008, who fixed the period of supervision at five (5) years,* and imposed the general terms and conditions theretofore adopted by the Court.

*Term of supervised release commenced on July 11, 2008.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Violation of Release Conditions No. 5 and No. 6 – Failure to remain at her parents' home and abide by a 9:00 p.m. curfew. On March 2, 2010, Rubio did not return home by 9:00 p.m. Rubio's parents informed me of this on March 3, 2010. Rubio met with me on March 4, 2010, and she explained she contacted her ex-husband, Adam Rubio, on March 2, 2010, and he drove her to his grandmother's home in the community of Simnasho on the Warm Springs Reservation. He then left her at this relative's residence after they had an argument. She arranged a ride the following day and returned home.

Due to this violation, Rubio has agreed to a modification of her release conditions to include that she enter a residential treatment program for up to 120 days to address her substance abuse, as evidenced by the attached waiver of hearing and attorney representation form. As such, I do not recommend that her release conditions be revoked, but rather they be modified to include this condition.

PRAYING THAT THE COURT WILL ORDER upon consideration of factors set forth in 18 USC § 3553(a), that the defendant shall reside in and participate in the program of a residential reentry center for no more than 120 days, to be released at the direction of the probation officer.

Respectfully,

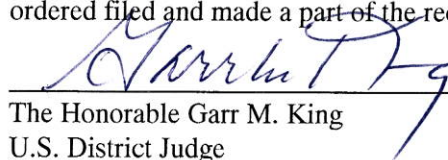

Lucinda Palmer
Senior U.S. Probation Officer

Place: Bend, Oregon

Date: March 11, 2011

ORDER OF THE COURT

Considered and ordered this 14 day of March, 2010, and ordered filed and made a part of the records in the above case.


The Honorable Garr M. King
U.S. District Judge

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON—PROBATION OFFICE**

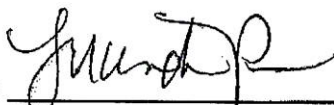
**WAIVER OF HEARING TO MODIFY CONDITIONS
OF PROBATION/SUPERVISED RELEASE**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

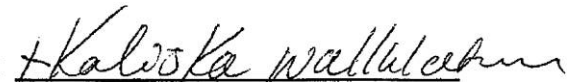
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release.

The defendant shall reside in and participate in the program of an inpatient drug treatment center, as directed by the probation officer, for a period not to exceed 120 days.

Witness: _____


U.S. Probation Officer

Signed: _____


Kaliska Rubio
Probationer or Supervised Releasee

Date: _____

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